

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DELTA NATURAL GAS)
COMPANY, INC. FOR AN ADJUSTMENT) CASE NO. 2004-00067
OF RATES)

O R D E R

On October 7, 2004, Delta Natural Gas Company, Inc. ("Delta") gave notice, pursuant to KRS 278.190(2), that it intended to place its proposed rates into effect. The Commission finds that it was unable to complete its investigation within the suspension period and that Delta has complied with the statutory provisions to place the proposed rates into effect. However, since KRS 278.190(2) only authorizes a utility to place its proposed rates into effect after written notification to the Commission, the proposed rates cannot be effective prior to October 7, 2004 and should be collected subject to refund.

IT IS THEREFORE ORDERED that:

1. Delta shall maintain its records in such manner as will allow determination of any amount to be refunded, in the event one is ordered upon final resolution in this matter.
2. Within 30 days of the date of this Order, Delta shall file its tariff reflecting its rates with an effective date no earlier than October 7, 2004.

Done at Frankfort, Kentucky, this 15th day of October, 2004.

By the Commission

ATTEST:



Executive Director